

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Electronic Version v11

Stylesheet Version v10

Title of Invention	MULTI-ELECTRODE APPARATUS AND METHOD FOR TREATMENT OF CONGESTIVE HEART FAILURE
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As the below named inventors, we declare that:

This declaration is directed to the invention titled: " MULTI-ELECTRODE APPARATUS AND METHOD FOR TREATMENT OF CONGESTIVE HEART FAILURE"

We believe that we are the original and first inventors of the subject matter which is claimed and for which a patent is sought;

We have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

We acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTORS:

Inventor 1: Scott Mathis	Attorney
Signature : /jrm/	Citizen of : US
Inventor 2: John K Prentice	Attorney
Signature : /jrm/	Citizen of : US
Inventor 3: John A Schmidt	Attorney

Signature : /jrm/	Citizen of : US
Inventor 4: William B Rottenberg	Attorney
Signature : /jrm/	Citizen of : US

4072-14

Combined Declaration and Power of Attorney

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled MULTI-ELECTRODE APPARATUS AND METHOD FOR TREATMENT OF CONGESTIVE HEART FAILURE the specification of which

(check one) is attached hereto. was filed on February 13, 2002, as United States Application Serial No. 10/075,808 or PCT International Application No. _____, and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, or Title 35, United States Code, §371, listed below and have also identified below, by checking the appropriate box, any foreign application for patent or Inventor's certificate, or of any PCT application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)**Priority claimed**

(Number)	(Country)	Day/month/year filed	Priority claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

<u>60/268,449</u>	<u>February 13, 2001</u>
(Application No.)	(Filing Date)
(Application No.)	(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application No.)	(Filing date)	(Status - patented, pending, abandoned)
(Application No.)	(Filing date)	(Status - patented, pending, abandoned)

And I hereby appoint George Gottlieb (Reg.No. 22,035) Michael I. Rackman (Reg.No. 20,639) James Reisman (Reg.No. 22,007) Barry A. Cooper (Reg.No. 25,204) David S. Kashman (Reg.No. 28,725) Allen I. Rubenstein (Reg.No. 27,673) Jeffrey M. Kaden (Reg.No. 31,268) Amy B. Goldsmith (Reg.No. 33,700) Norbert P. Holler (Reg.No. 17,816) Tiberiu Weisz (Reg.No. 29,876) Maria A. Savio (Reg.No. 31,565) Raymond B. Churchill (Reg.No. 44,617) John R. Merkling (Reg. No. 31,716)

whose address is Gottlieb, Rackman & Reisman, P.C., 270 Madison Avenue, New York NY 10016-0501 (telephone (212) 684-3900), jointly and severally, as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Direct all correspondence and telephone calls to: Tiberiu Weisz, Esq. at the address and telephone number shown above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Scott Mathis

Inventor's Signature Scott Mathis

Date 4/17/02

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Inventor's Signature John K. Prentice

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Inventor's Signature John A. Schmidt

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Full name of forth joint inventor, if any William B. Rottenberg

Inventor's Signature William B. Rottenberg

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